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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

STEPHEN GAVIN FRANCOIS,

Plaintiff,

vs.

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,

Defendant.

Case No.: 2:22-cv-02006-BNW

**MOTION FOR AN EXTENSION OF TIME TO  
PROVIDE THE COURT WITH A PAPER COPY  
OF THE CERTIFIED ADMINISTRATIVE  
RECORD**

***(FIRST REQUEST)***

1 Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (the “Commissioner”), by and  
2 through her undersigned attorneys, hereby moves for an extension of time to provide the Court with a paper  
3 copy of the Certified Administrative Record (CAR) in this case. The Commissioner’s CAR is due to be  
4 filed today, March 1, 2023.

5 This Court has in the past in other cases denied the Commissioner’s motions to be relieved of  
6 providing a paper copy of the CAR to the Court. In light of these orders, the Commissioner intends to file  
7 her answer and an electronic copy of the CAR (e-CAR) on the current deadline today. However, the Social  
8 Security Administration’s Office of Appellate Operations (OAO), the Office of the General Counsel  
9 (OGC), and the United States Attorney’s Office (USAO) remain unable to print and provide a paper copy  
10 of the CAR by the current deadline. Cognizant of the Court’s orders, the Commissioner requests a 60-day  
11 extension of time from March 1, 2023 to find a solution for the submission of a paper courtesy copy of the  
12 CAR for the Court.

13 The Commissioner submits that no prejudice will result from granting this extension. Under the  
14 scheduling orders in this district, Plaintiff’s motion for reversal and/or remand will be due in 30 days after  
15 issuance of a scheduling order. Plaintiff will not be prejudiced by this extension, as Plaintiff’s counsel will  
16 have access to the e-CAR that the Commissioner intends to file on CM/ECF on the current deadline, such  
17 that Plaintiff’s motion can be drafted and filed. In addition, the scheduling orders of this district generally  
18 allow the Commissioner to file a cross-motion to affirm and response to Plaintiff’s motion within 30 days  
19 after Plaintiff’s motion is filed. Plaintiff is also generally allowed another 20 days to file an optional reply.  
20 In light of this timeline, the earliest that the Court may require a paper copy of the CAR to adjudicate this  
21 case will be 60 days after the CAR is filed.

22 For these reasons, the Commissioner respectfully requests that the Court grant this motion and  
23 allow the paper CAR to be provided to the Court within 60 days after the answer/e-CAR are filed.  
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1 Dated: March 1, 2023

Respectfully submitted,

2 JASON M. FRIERSON  
3 United States Attorney

4 /s/ Edmund Darcher  
5 EDMUND DARCHER  
6 Special Assistant United States Attorney

7  
8  
9 IT IS SO ORDERED:

10   
11 \_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

12 DATED: March 2, 2023  
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**CERTIFICATE OF SERVICE**

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 6401 Security Blvd., Baltimore, MD 21235. I am not a party to the above-entitled action. On the date set forth below, I caused service of the foregoing **MOTION FOR AN EXTENSION OF TIME TO PROVIDE THE COURT WITH A PAPER COPY OF THE CERTIFIED ADMINISTRATIVE RECORD** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing:

Marc V. Kalagian  
[marc.kalagian@rksslaw.com](mailto:marc.kalagian@rksslaw.com)  
Attorney for Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 1, 2023

/s/ Edmund Darcher  
Edmund Darcher  
Special Assistant United States Attorney